

**U.S. District Court  
Southern District of Florida (West Palm Beach)  
CIVIL DOCKET FOR CASE #: 9:18-cv-81742-KAM**

Scott v. Internal Revenue Service  
Assigned to: Judge Kenneth A. Marra  
Referred to: Magistrate Judge William Matthewman  
Cause: 05:0552 Freedom of Information Act

Date Filed: 12/21/2018  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****James E. Scott**

represented by **James E. Scott**  
12155 Monroe Street  
Wellington, FL 33414  
PRO SE

V.

**Defendant****Internal Revenue Service**

represented by **Carlos Javier Raurell**  
United States Attorney's Office  
99 NE 4 Street  
Miami, FL 33132  
305-961-9243  
Fax: 305-530-7139  
Email: [carlos.raurell@usdoj.gov](mailto:carlos.raurell@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Catriona M. Coppler**  
Department of Justice, Tax Division  
PO Box 227, Ben Franklin Station  
Washington, DC 20044  
202-514-5153  
Email: [Catriona.M.Coppler@usdoj.gov](mailto:Catriona.M.Coppler@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
12/21/2018	<u>1</u>	COMPLAINT against Internal Revenue Service, filed by James E. Scott. Filing fees \$ 400.00. NOT PAID/NO IFP FILED. (Attachments: # <u>1</u> Civil Cover Sheet)(kpe) (Main Document 1 replaced on 12/21/2018) (kpe). (Additional attachment(s) added on 12/21/2018: # <u>2</u> Exhibit) (kpe). (Entered: 12/21/2018)
12/21/2018	<u>2</u>	Clerks Notice of Judge Assignment to Judge Kenneth A. Marra.  Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge William Matthewman is available to handle any or all proceedings in this case. If agreed, parties should complete and file the Consent form found on our website. It is not necessary to file a document indicating lack of consent.  Pro se (NON-PRISONER) litigants may receive Notices of Electronic Filings (NEFS) via email after filing a Consent by Pro Se Litigant (NON-PRISONER) to Receive Notices of Electronic Filing. The consent form is available under the forms section of our website. (kpe) (Entered: 12/21/2018)
12/21/2018	<u>3</u>	Clerks Notice of Receipt of Filing Fee received on 12/21/2018 in the amount of \$ 400.00, receipt number FLS900006097 (mee) (Entered: 12/21/2018)

12/21/2018	<u>4</u>	Summons Issued as to Internal Revenue Service, U.S. Attorney and U.S. Attorney General (mee) (Entered: 12/21/2018)
01/03/2019	<u>5</u>	Order Requiring Counsel to Confer and File Joint Scheduling Report. Signed by Judge Kenneth A. Marra on 1/3/2019. <i>See attached document for full details.</i> (ir) (Entered: 01/03/2019)
01/11/2019	<u>6</u>	ACKNOWLEDGMENT OF SERVICE as to Internal Revenue Service, U.S. Attorney General and U.S. Attorney. (kpe) (Entered: 01/11/2019)
01/14/2019	<u>7</u>	Defendant's MOTION to Stay <i>Action in light of Lapse in Appropriations</i> by Internal Revenue Service. Attorney Carlos Javier Raurell added to party Internal Revenue Service(pty:dft). Responses due by 1/28/2019 (Raurell, Carlos) (Entered: 01/14/2019)
01/15/2019	<u>8</u>	Plaintiff's Objection to Defendant's <u>7</u> Motion to Stay Action In Light of Lapse of Appropriations, filed by James E. Scott. Replies due by 1/22/2019. (kpe) (Entered: 01/15/2019)
01/17/2019	<u>9</u>	ORDER granting <u>7</u> Motion to Stay. Signed by Judge Kenneth A. Marra on 1/17/2019. <i>See attached document for full details.</i> (ir) (Entered: 01/17/2019)
02/05/2019	<u>10</u>	MOTION for Extension of Time to File Response/Reply/Answer as to <u>1</u> Complaint, by Internal Revenue Service. Attorney Catriona M. Coppler added to party Internal Revenue Service(pty:dft). (Attachments: # <u>1</u> Text of Proposed Order)(Coppler, Catriona) (Entered: 02/05/2019)
02/05/2019	<u>11</u>	PAPERLESS ORDER granting in part, over Plaintiff's objection <u>10</u> Motion for Extension of Time to File Response/Answer to a Complaint. Internal Revenue Service Answer due 2/22/2019. Re: <u>1</u> Complaint, filed by James E. Scott. Signed by Judge Kenneth A. Marra on 2/5/2019. (ir) (Entered: 02/05/2019)
02/22/2019	<u>12</u>	ANSWER and Affirmative Defenses to Complaint by Internal Revenue Service. (Coppler, Catriona) (Entered: 02/22/2019)
02/25/2019	<u>13</u>	MOTION to Compel <i>Preparation of a Vaughn Index</i> by James E. Scott. Responses due by 3/11/2019 (mc) (Entered: 02/26/2019)
02/28/2019	<u>14</u>	ORDER REFERRING CASE to Magistrate Judge William Matthewman for Discovery Matters. Motions referred to Judge William Matthewman. Signed by Judge Kenneth A. Marra on 2/27/2019. <i>See attached document for full details.</i> (ir) (Entered: 02/28/2019)
03/01/2019		Case Reopened (ir) (Entered: 03/01/2019)
03/08/2019	<u>15</u>	Joint SCHEDULING REPORT – <b>Rule 26(f)</b> by Internal Revenue Service (Attachments: # <u>1</u> Text of Proposed Scheduling Order, # <u>2</u> Certification of Service)(Coppler, Catriona) (Entered: 03/08/2019)
03/08/2019	<u>16</u>	RESPONSE in Opposition re <u>13</u> MOTION to Compel <i>Preparation of a Vaughn Index</i> filed by Internal Revenue Service. Replies due by 3/15/2019. (Coppler, Catriona) (Entered: 03/08/2019)
03/18/2019	<u>17</u>	REPLY to Defendant's Response In Opposition to Plaintiff's <u>13</u> MOTION to Compel <i>Preparation of a Vaughn Index</i> filed by James E. Scott. (kpe) (Entered: 03/18/2019)
03/19/2019	<u>18</u>	SCHEDULING ORDER: Calendar Call set for 11/8/2019 10:00 AM in West Palm Beach Division before Judge Kenneth A. Marra. Bench Trial set for 11/12/2019 09:00 AM in West Palm Beach Division before Judge Kenneth A. Marra. Signed by Judge Kenneth A. Marra on 3/18/2019. <i>See attached document for full details.</i> (ir) (Entered: 03/19/2019)
03/19/2019	<u>19</u>	ORDER denying <u>13</u> Plaintiff's Motion to Compel Preparation of a Vaughn Index. Signed by Magistrate Judge William Matthewman on 3/19/2019. <i>See attached document for full details.</i> (kza) (Entered: 03/19/2019)
04/08/2019	<u>20</u>	MOTION for Summary Judgment by Internal Revenue Service. Responses due by 4/22/2019 (Attachments: # <u>1</u> Statement of Undisputed Material Facts, # <u>2</u> Memorandum in Support, # <u>3</u> Declaration of Aaron B. Edelman, # <u>4</u> Exhibit A, # <u>5</u> Exhibit B, # <u>6</u> Exhibit C, # <u>7</u> Exhibit D, # <u>8</u> Text of Proposed Order)(Coppler, Catriona) (Entered: 04/08/2019)

04/09/2019	<u>21</u>	NOTICE OF SUMMARY JUDGMENT re <u>20</u> MOTION for Summary Judgment filed by Internal Revenue Service. Responses due by 4/26/2019. Signed by Judge Kenneth A. Marra on 4/9/2019. <i>See attached document for full details.</i> (ir) (Entered: 04/09/2019)
04/10/2019	<u>22</u>	Plaintiff's MOTION to Compel Production of a Limited Vaughn Index ( Responses due by 4/24/2019); Motion for an Enlargement of Time to File A Response to Defendant's <u>20</u> Motion for Summary Judgment, by James E. Scott. (kpe) (Entered: 04/11/2019)
04/12/2019	<u>23</u>	Plaintiff's Notice of Corrected Filing of Motion to Compel Production of a Limited Vaughn Index ( Responses due by 4/26/2019); Plaintiff's Motion for an Enlargement of Time to File a Response to Defendant's Motion for Summary Judgment, by James E. Scott. (Attachments: # <u>1</u> Proposed Order)(kpe) (Entered: 04/12/2019)
04/24/2019	<u>24</u>	RESPONSE in Opposition re <u>23</u> MOTION to Compel MOTION for Extension of Time to File Response/Reply/Answer as to <u>20</u> MOTION for Summary Judgment , <u>22</u> MOTION to Compel MOTION for Extension of Time to File Response/Reply/Answer as to <u>20</u> MOTION for Summary Judgment filed by Internal Revenue Service. Replies due by 5/1/2019. (Coppler, Catriona) (Entered: 04/24/2019)
04/25/2019	<u>25</u>	Cross– MOTION for Summary Judgment by James E. Scott. Responses due by 5/9/2019 (Attachments: # <u>1</u> Proposed Order)(kpe) (Entered: 04/26/2019)
04/25/2019	<u>26</u>	Opposition to Defendant's <u>20</u> MOTION for Summary Judgment, filed by James E. Scott. Replies due by 5/2/2019. See DE <u>25</u> for image. (kpe) (Entered: 04/26/2019)
04/25/2019	<u>27</u>	MEMORANDUM in Support Plaintiff's <u>25</u> Cross–MOTION for Summary Judgment and 26 Opposition to Defendant's Motion for Summary Judgment, by James E. Scott. (kpe) (Entered: 04/26/2019)
04/25/2019	<u>28</u>	RESPONSE to Defendant's Statement of Undisputed Material Facts, by James E. Scott. (kpe) (Entered: 04/26/2019)
04/25/2019	<u>29</u>	Declaration of James E. Scott by James E. Scott (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit)(kpe) (Entered: 04/26/2019)
05/03/2019	<u>30</u>	Unopposed MOTION Requesting Exemption from Mediation Requirement re <u>18</u> Scheduling Order, by Internal Revenue Service. (Attachments: # <u>1</u> Text of Proposed Order)(Coppler, Catriona) (Entered: 05/03/2019)
05/09/2019	<u>31</u>	ORDER granting <u>30</u> Motion Requesting Exemption from Mediation Requirement. Signed by Judge Kenneth A. Marra on 5/9/2019. <i>See attached document for full details.</i> (ir) (Entered: 05/09/2019)
05/10/2019	<u>32</u>	ORDER granting in part and denying in part <u>23</u> Plaintiff's Corrected Motion to Compel Production of a Limited Vaughn Index; denying as moot <u>23</u> Motion for Extension of Time to File Response/Reply/Answer. Defendant shall produce a limited Vaughn Index to Plaintiff on or before May 24, 2019. Signed by Magistrate Judge William Matthewman on 5/10/2019. <i>See attached document for full details.</i> (kza) (Entered: 05/10/2019)
05/15/2019	<u>33</u>	MOTION for clarification <u>32</u> Order on Motion to Compel,, Order on Motion for Extension of Time to File Response/Reply/Answer, by Internal Revenue Service. Responses due by 5/29/2019 (Attachments: # <u>1</u> Text of Proposed Order)(Coppler, Catriona) (Entered: 05/15/2019)
05/16/2019	<u>34</u>	RESPONSE in Opposition to Defendant's <u>33</u> MOTION for Clarification, filed by James E. Scott. Replies due by 5/23/2019. (kpe) (Entered: 05/16/2019)
05/16/2019	<u>35</u>	ORDER granting in part and denying in part <u>33</u> Defendant's Motion for Clarification. Signed by Magistrate Judge William Matthewman on 5/16/2019. <i>See attached document for full details.</i> (kza) (Entered: 05/16/2019)
05/21/2019	<u>36</u>	Unopposed MOTION for Extension of Time to file Reply in Support of the Motion for Summary Judgment and Response in Opposition to the Cross–Motion for Summary Judgment by Internal Revenue Service. Responses due by 6/4/2019 (Attachments: # <u>1</u> Text of Proposed Order)(Coppler, Catriona) (Entered: 05/21/2019)
05/22/2019	<u>37</u>	ORDER granting <u>36</u> Motion for Extension of Time to file Response/Reply <u>20</u> MOTION for Summary Judgment filed by Internal Revenue Service, <u>25</u> MOTION for Summary Judgment filed by James E. Scott. Responses due by 6/7/2019. Replies due by 6/7/2019.

		Signed by Judge Kenneth A. Marra on 5/22/2019. See attached document for full details. (ir) (Entered: 05/22/2019)
05/31/2019	<u>38</u>	MOTION for Leave to File a Supplemental Memorandum in Support of Cross–Motion for Summary Judgment and Opposition to Defendant's Motion for Summary Judgment and an Amended Response by James E. Scott. (ls) (Entered: 05/31/2019)
05/31/2019	<u>39</u>	Amended and Restated MEMORANDUM in Support re <u>25</u> CROSS–MOTION for Summary Judgment, and Opposition to <u>20</u> MOTION for Summary Judgment by James E. Scott. (ls) Modified on 6/24/2019 document restricted due to missing pages see de# <u>45</u> for image(dj). (Entered: 05/31/2019)
05/31/2019	<u>40</u>	Amended RESPONSE to Statement of Undisputed Material Facts re <u>20</u> MOTION for Summary Judgment by James E. Scott. (ls) (Entered: 05/31/2019)
06/07/2019	<u>41</u>	REPLY to Response to Motion re <u>25</u> MOTION for Summary Judgment, <u>20</u> MOTION for Summary Judgment and Response in Opposition to Plaintiff's Cross–Motion for Summary Judgment, as amended on May 31, 2019 filed by Internal Revenue Service. (Attachments: # <u>1</u> Response to Plaintiff's Statement of Undisputed Material Facts, # <u>2</u> Vaughn Index)(Coppler, Catriona) (Entered: 06/07/2019)
06/11/2019	<u>42</u>	MOTION for Extension of Time to File It's Reply In Support of Plaintiff's <u>25</u> Cross MOTION for Summary Judgment and Opposition to Defendant's <u>20</u> MOTION for Summary Judgment, by James E. Scott. (Attachments: # <u>1</u> Proposed Order)(kpe) (Entered: 06/11/2019)
06/12/2019	<u>43</u>	PAPERLESS ORDER granting <u>42</u> Motion for Extension of Time to File Response/Reply to Re: <u>25</u> MOTION for Summary Judgment filed by James E. Scott. Replies due by 6/24/2019. Signed by Judge Kenneth A. Marra on 6/12/2019. (ir) (Entered: 06/12/2019)
06/24/2019	<u>44</u>	Reply Memorandum in Support of <u>25</u> Cross–Motion for Summary Judgment and Opposition to <u>20</u> Motion for Summary Judgment. by James E. Scott. (jao) Modified document link on 6/24/2019 (jao). (Entered: 06/24/2019)
06/24/2019	<u>45</u>	Clerks Notice of Docket Correction document missing pages. The correct document has been attached to this notice.re <u>39</u> Amended and Restated MEMORANDUM in Support re <u>25</u> CROSS–MOTION for Summary Judgment, and Opposition to <u>20</u> MOTION for Summary Judgment. <b>Correction</b> Other. (dj) (Entered: 06/24/2019)